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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,718	08/31/2001	Masataka Shirai	NIT-302	8857
7590	02/11/2004		EXAMINER	
Mattingly, Stanger & Malur, P.C Suite 370 1800 Diagonal Road Alexandria, VA 22314			FLORES RUIZ, DELMA R	
			ART UNIT	PAPER NUMBER
			2828	

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES DEPARTMENT OF COMMERCE

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/942,718			

EXAMINER	
D. Flores-Ruiz	
ART UNIT	PAPER NUMBER
2828	

DATE MAILED:

## EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) Delma R. Flores-Ruiz(3) Gene W. Stockman(2) Paul Jp

(4) \_\_\_\_\_

Date of interview 1/29/04Type:  Telephonic  Personal (copy is given to  applicant  applicant's representative).Exhibit shown or demonstration conducted:  Yes  No. If yes, brief description: \_\_\_\_\_Agreement  was reached with respect to some or all of the claims in question.  was not reached.Claims discussed: 1 and 15

Identification of prior art discussed: \_\_\_\_\_

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant discussed the quantum well layers and its temperature in respect to the materials in the claims. However, applicant is suggested to amend or rewrite the claims in view of figure 8 of the laser structure in order to provide a better claim structure of the invention. Especially applicant should concentrate on the laser structure layers in order to provide a better patent at the issuance.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

Unless the paragraphs below have been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

- It is not necessary for applicant to provide a separate record of the substance of the interview.
- Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action.

Examiner's Signature

Paul Jp SPE 2828